

**BLESSING-RIEMAN COLLEGE OF NURSING AND HEALTH SCIENCES
STUDENT POLICIES AND PROCEDURES**

TITLE OF POLICY: Student Code of Conduct

ORIGINAL DATE:

SOURCE: Student Development

LAST REVIEWED/REVISED BY BOARD POLICY COMMITTEE: June 2016

LAST APPROVED BY BOARD OF DIRECTORS:

POLICY

The Just Culture model is the philosophy of Blessing-Rieman College of Nursing and Health Sciences. As such, the College implements the Just Culture model within its Student Code of Conduct. The Just Culture creates an atmosphere of trust, encouraging and rewarding people for providing essential safety-related information. A Just Culture is one in which the reporting of student errors and near misses, as discussed more below, is supported without fear of retribution.

This policy is to ensure a fair and just process. Just Culture refers to a values-supportive model of shared accountability. It's a culture that holds organizations accountable for the systems they design and for how they respond to student behaviors fairly and justly. In turn, students are accountable for the quality of their choices and for reporting both their errors and system vulnerabilities. Just Culture is an established set of objective pathways utilized to identify if the error occurred due to a system or process issue (for example, the established process doesn't work, the pharmacy is closed, the patient is not in the room) and/or due to human error. Individuals are held accountable for their actions or behaviors. Individuals will be consoled for human errors, coached for at risk behavior, and held accountable for reckless behavior independent of the outcome.

Code of Behavior

Students enrolled at the College are expected to assume personal responsibility for their own actions, respect for self and others, and to promote an educational environment within the College community.

Students are expected to comply with the *ANA Code of Ethics* and the *ANA Principles for Social Networking*, ICARE Standards, College policies, and the policies of cooperating agencies. All college policies are located in the Student Handbook. Agency policies are reviewed during clinical orientations.

At the beginning of each year students will sign an affirmation statement agreeing to comply with the College Student Code of Conduct and ICARE standards. Failure to sign this statement will result in the student not being allowed to attend classes, clinical, and any other College activities.

Nursing students, who are preparing to become members of the nursing profession, have an ethical obligation to report and take appropriate action regarding instances of violation of the student

code of conduct or ICARE standards. Any student who observes such violations should first bring the questionable action to the attention of their peer so that the individual can take appropriate action. The student then has the obligation to report the violation to faculty or staff member at the College.

Consequences for students who violate the Student Code of Conduct or the ICARE standards depend on the seriousness of the infraction and implementation of the College’s Just Culture Decision Pathway for Nursing Students. Students who do not conduct themselves in a manner that is compatible with the mission, philosophy, and values of the College are subject to disciplinary action up to and including dismissal or suspension from the College. Other consequences may include but are not limited to: writing a paper explaining the violation and the consequences of the action by applying ethical principles to the situation, failure of a test or assignment, or failure of a course.

Duties

Within the college, students and employees are tied together and to the college through a set of duties. These duties spring from the Code of Conduct, ICARE standards, college and agency policies, laws and regulations governing the college, as well as commitments made to each other during the course of college business. These duties take two forms:

The Duty	Explanation
The duty to avoid causing unjustified risk or harm.	A general duty to not create unreasonable or unjustified risk or harm to each other. Examples: duty to avoid causing harm to patients, visitors, employees, and fellow students. This duty includes physical, emotional, and financial harm.
The duty to follow a procedural rule when working within the college.	An explicit duty to follow rules created within the system designed by the college and agencies, regulator, professional society, or local group. Examples: duty to follow medication protocol, duty to follow patient restraint policy, duty to report adverse events, duty to follow ICARE and Code of Conduct Standards, duty to follow College and agency policies.

Event/Breach of Duty

There are many types of events and breaches of duty that could lead to action under this Student Code of Conduct. Such an event/breach of duty includes, but is not limited to, any situation in which a student:

- Fails to meet clinical and classroom expectations.
- Fails to comply with policies and procedures of the college and agencies.
- Fails to comply with the Confidentiality policy.
- Fails to comply with the Compliance Program and HIPAA.
- Fails to comply with the Student Code of Conduct/ICARE Standards.
- Fails to comply with reasonable instructions from college or agency personnel.
- Fails to behave in a way that is consistent with the college’s mission and/or values.

- Fails to properly report an incident under this policy.
- Engages in, or threatens to engage in, behavior that poses an immediate danger to the life, health, welfare, safety, or property of others.
- Is dishonest, misrepresents facts, or falsifies records.
- Creates an inappropriate risk or harm to others, or threatens such risk or harm.
- Uses the college's computer system in an unauthorized manner.
- Behaves in any other way that, in the discretion of the college, is not in its best interests.
- The college reserves the right to address any other conduct that it deems inappropriate even though it is not expressly covered in the above list.

PROCEDURE FOR REPORTING AND ADDRESSING ALLEGED STUDENT CODE OF CONDUCT VIOLATIONS

Use of Pathway

A Just Culture Pathway is followed for investigation of all events/breach of duty alleged to have occurred by a BRCN student at the college. The possible Pathways are explained in chart/algorithms, available at the end of this policy. There are three potential conclusions, which include (1) human error; (2) at risk behavior; and (3) reckless behavior, each of which is described in more detail below. Because a student's history of errors, level (sophomore, junior, senior), etc., are considered during the process, similar types of conduct engaged in by different students could result in different Pathway conclusions.

1. **Human Error** - Human error involves unintentional and unpredictable behavior that causes or could have caused an undesirable outcome, either because a planned action is not completed as intended or the wrong plan is used to achieve an aim.
 - a. Human errors may include near misses. A near miss in this context is when an actual error is not made even though there was some type of inappropriate conduct (for example, a student miscalculated a medication dose but does not administer the incorrect dose).
 - b. When a human error occurs, faculty or staff console the student and use documented coaching when necessary. Consoling may include showing empathy, listening, and advising the student about appropriate behavior.
2. **At Risk Behavior** - to drift into unsafe habits, to lose perception of the risk attached to everyday behaviors, or mistakenly believe the risk to be justified.
 1. At risk behavior typically includes habitual or more serious events/breaches of duty.
 2. When at risk behavior occurs, Faculty or staff initiate coaching, which may include explicit teaching/tutoring about the expectations/process/procedure and/or warning in a timely manner, and possible academic consequences. This may be the only corrective action needed and may be done without consulting the appropriate Dean. Additional actions may be taken by the Code of Conduct Committee. Documentation of the action taken is to be sent to the Student Services Officer according to the procedure outlined below.
3. **Reckless Behavior** – knowingly choosing to place themselves or others in harm's way. They see the risk, and they understand the harm that can be done. They simply choose to place their own self-interest above the rest of the system.
 - a. Reckless behavior typically includes repeated or very serious events/breaches of duty.

- b. Faculty or staff must consult with the appropriate Dean to determine the appropriate course of action, which may include coaching, warning, final warning, and possible academic consequences.

Repetitive Human Errors or At Risk Behaviors

In addition to actions stemming from single events, when it is found that a student has committed a series of human errors or at-risk behaviors and that education, coaching and/or warning have not been effective in changing behavior, the student will be subject to additional action as deemed appropriate by the college.

Documentation of the Event

Documented Counseling

When there has been an alleged event/breach of duty giving rise to action under the Student Code of Conduct, the action to be taken is determined by the investigation and Pathway findings. Documented coaching should be used prior to any formal action being taken. Documentation of coaching should be completed utilizing the Code of Conduct Violation Report and sent to the Student Services Officer and maintained in the faculty or staff file. *This does not require the student's signature* but is a reminder to the faculty or staff as to the content of the discussion and when the discussion took place.

Code of Conduct Violation Reports

When any member of the college community (including faculty, staff, and students) witnesses an event/breach of duty, or suspects that an event/breach of duty has occurred, the individual is obligated to do the following:

1. Promptly discuss the situation with the student engaged in the questionable conduct. A student who will be approaching another student in these circumstances can talk with an administrator or faculty member for assistance and guidance in handling the situation.
2. Following the discussion with the student engaged in the questionable conduct, the college community member must complete and submit a Code of Conduct Violation Report to the Student Services Officer within five (5) working days of the initial identification of the event/breach of duty. The Code of Conduct Violation Report form is available in the Student Services Office or from the "Forms" section of the college's website <http://www.brcn.edu/?id=1245&sid=7>.
 - a. The student alleged to have engaged in the event/breach of duty in violation of the Student Conduct Code is not required to sign the Code of Conduct Violation Report before it is sent to the Student Services Officer. Additionally, the student has the right to submit a rebuttal to the Student Services Officer that will be attached to the Code of Conduct Violation Report and considered throughout the remainder of the process.

It a violation of this Student Code of Conduct for a student to not follow the previous steps when s/he witnesses an event/breach of duty or suspects that one has occurred. However, all reports of sexual misconduct should be made the to the college's Title IX Coordinator immediately instead of following the steps above.

Faculty and students may not report an event/breach of duty anonymously but students do have the right to have their identity protected from the accused in most situations. Retaliation for filing a report is prohibited and the college will take steps to protect a person who has made a report from retaliation. A person who feels like they have been retaliated against for making a report or providing information related to a violation should contact the Assistant Dean of Support Services. Every effort will be made by the college to protect the person making an accusation from any repercussion associated with the incident.

Procedural Steps Following a Report

Review of a Code of Conduct Violation Report & Investigation

Within five (5) working days of receiving a Code of Conduct Violation Report, the Student Services Officer reviews it with Student Development Committee Chair to determine if there has been an event/breach of duty that is a violation of the Student Code of Conduct and, if so, appropriate sanctions. Upon consideration of the issues involved, one of the following will occur:

1. Both the Student Services Officer and the Student Development Committee Chair agree that the event/breach of duty is a violation of the Student Code of Conduct.
 - a. In this situation, the Student Services Officer will set a meeting with the student to discuss the matter within ten (10) working days of receiving the Code of Conduct Violation Report. The Student Services Officer may also, as necessary, engage in further investigation, gather evidence, and discuss the issue with the complainant/reporter and/or other potential witnesses.
 - b. The Student Services Officer can enforce coaching and warning actions that have been previously imposed.
 - c. If the student wishes to appeal this decision, the Code of Conduct Committee will be convened to make a final determination on the matter in accordance with the Appeal Process outlined below.
 - d. If the Student Services Officer determines that a final warning, recommendations of suspension or dismissal, a Code of Conduct hearing will take place in accordance with the Hearing Process outlined below.
2. Both the Student Services Officer and Student Development Committee Chair agree that a Student Code of Conduct violation did not occur.
 - a. In this situation, the student is informed of the decision of no action.
3. The Student Services Officer and Student Development Committee Chair do not agree.

- a. In this situation, the matter is turned over to the Code of Conduct Committee to vote on whether it is a Code of Conduct violation. This will occur within ten (10) working days of the Code of Conduct Committee receiving the violation notification.

Within ten (10) working days of receiving the Code of Conduct Violation Report, the Student Services Officer will notify the student in writing of the decision, unless circumstances warrant a lengthier timeframe (if more time is needed, the student will be so notified in writing). If there will be a Code of Conduct Committee hearing, the student will also be notified of the date, time and location of the hearing.

HEARING PROCESS

Forming the Committee

At the beginning of each academic year, the Chair of the Student Development Committee appoints a Code of Conduct Committee. This committee should consist of a chairperson, who is a member of the Student Development Committee the Student Services Officer, at least two (2) other faculty or staff members of the Student Development Committee, and at least two (2) students.

Hearing Procedures and Guidelines

The Chair of the Code of Conduct Committee will determine the procedures for carrying out the hearing with the following guidelines in mind:

- a) If any member of the Code of Conduct Committee is involved in the incident in any manner (accuser, accused, witness), that member is excused from the proceedings as an official member of the Code of Conduct Committee for that incident.
- b) All evidence and discussion presented at the hearing remains confidential.
- c) The accused student(s) may choose a support person to help him/her prepare for the hearing and to accompany him/her to the hearing. The support person is not permitted to contribute or communicate in any manner during the hearing process. If the support person fails to comply, s/he will be asked to leave the hearing. The support person may not be a lawyer as this is an internal process and not a civil process.
- d) Recording is not allowed during the hearing process at any time.
- e) All parties presenting evidence to the committee are heard individually. Committee members will have an opportunity to seek clarification from all involved parties.
- f) In no event will the hearing extend beyond one day in length, unless the Chair determines it is necessary based on extraordinary circumstances.
- g) After all parties are heard, the Committee meets in private and discusses the evidence and determines, by majority vote, if the student committed a violation, and if one or more college-wide administered sanctions should occur. The Committee will review the student's prior record for any Code of Conduct violations, and previous incidents are considered when deciding which sanction(s) are to be imposed. Possible sanctions may include, but are not limited to the following:
 - Counseling/coaching.
 - Warning.
 - Final warning.
 - Recommendation to the Assistant Dean of Support Services for suspension or dismissal from the program (see Suspension/Dismissal Policies in the Student Handbook).

If the incident occurred during class or clinical and the faculty member has already imposed sanctions for the violation in question the Code of Conduct Committee may or may not take further actions based on patterns of behavior/infractions by the student(s) in question.

- h) All decisions must be documented in writing.
- i) All parties are notified in writing of the hearing outcome and recommendations/sanctions levied by the Code of Conduct Committee within three (3) College working days. An explanation of the reasons for the decision will be included. An appeal of the Committee's decision may be made pursuant to the Appeal Process outlined below.

APPEALS PROCESS

When a student wishes to appeal the decision/sanction of the Student Services Officer, s/he should do so as follows:

- a) Within five (5) working days of being notified of the Student Services Officer's decision, the student must submit a written letter of appeal to the Student Services Office. The letter should specifically state the reasons for appeal. An appeal that is not timely filed will not be considered and the matter will be deemed resolved.
- b) If an appeal is timely filed, a hearing with the Code of Conduct Committee will take place within in fourteen (14) working days of submission of the notice of appeal in accordance with the Hearing Process outlined above.

When a student wishes to appeal the decision/sanction of a Code of Conduct Committee hearing, s/he should do so as follows:

- a) Within five (5) working days of being notified of the hearing decision, the student must submit a written letter of appeal to the Student Services Officer. The letter should specifically state the reasons for appeal. An appeal that is not timely filed will not be considered and the matter will be deemed resolved.
- b) If an appeal is timely filed, within in ten (10) working days of receiving the letter of appeal, the Student Development Committee will convene to review all of the available documentary evidence and make a final decision. The student will be notified of the Student Development Committee's decision within three (3) working days of the Committee's meeting.

Suspension/Dismissal Procedures

When the Code of Conduct Committee recommends suspension or dismissal, the matter is sent to the Assistant Dean for Support Services for consideration. This consideration will be made either (1) after the Code of Conduct Committee's recommendation has been upheld on appeal by the Student Development Committee, or (2) after the appeal deadline has passed, if an appeal has not been filed.

The Assistant Dean for Support Services will review all of the available documentary evidence and may meet with the student and/or other parties and school officials as determined necessary in order to reach a decision. The Assistant Dean for Support Services' decision is final, and the student will be notified of the decision in writing.

Student's Rights and Responsibilities

The student has the responsibility to act professionally throughout the entire process. Not doing so may be considered a separate violation of the Student Code of Conduct.

The student has the responsibility to attend scheduled meetings/hearings. Not doing so, absent a reasonable explanation and an attempt to provide notification of the absence in advance, may be considered a separate violation of the Student Code of Conduct.

Student File and Notification of Partner Institutions

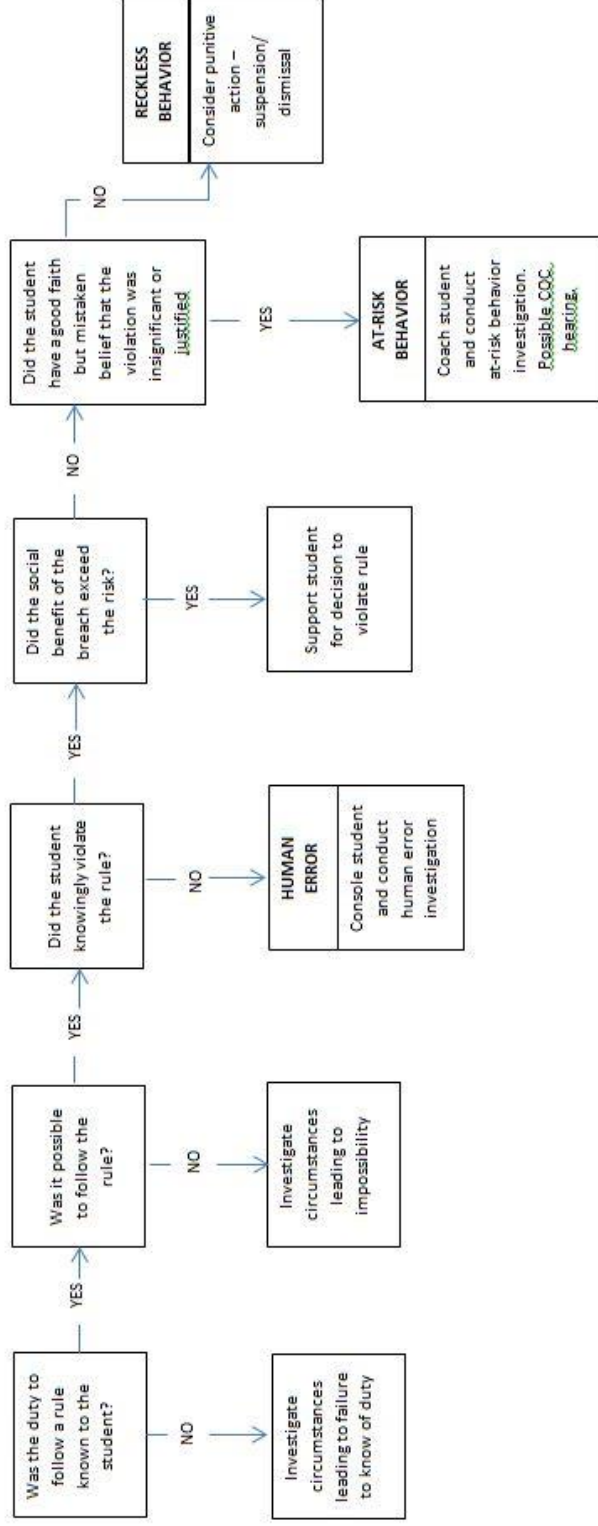
A copy of the documents relative to the results of the student conduct process is placed in the student's file. The Vice Presidents of Academic Affairs of partner institutions may be notified of the outcome of conduct proceedings for those students enrolled in their joint program when deemed appropriate by the College.

DUTY TO FOLLOW A PROCEDURAL RULE

Did the student breach a duty to follow a procedural rule in a system designed by the college or agency?

Note: This path applies when the student works within a system and is responsible for being a reliable component within that system. (COC = Code of Conduct)

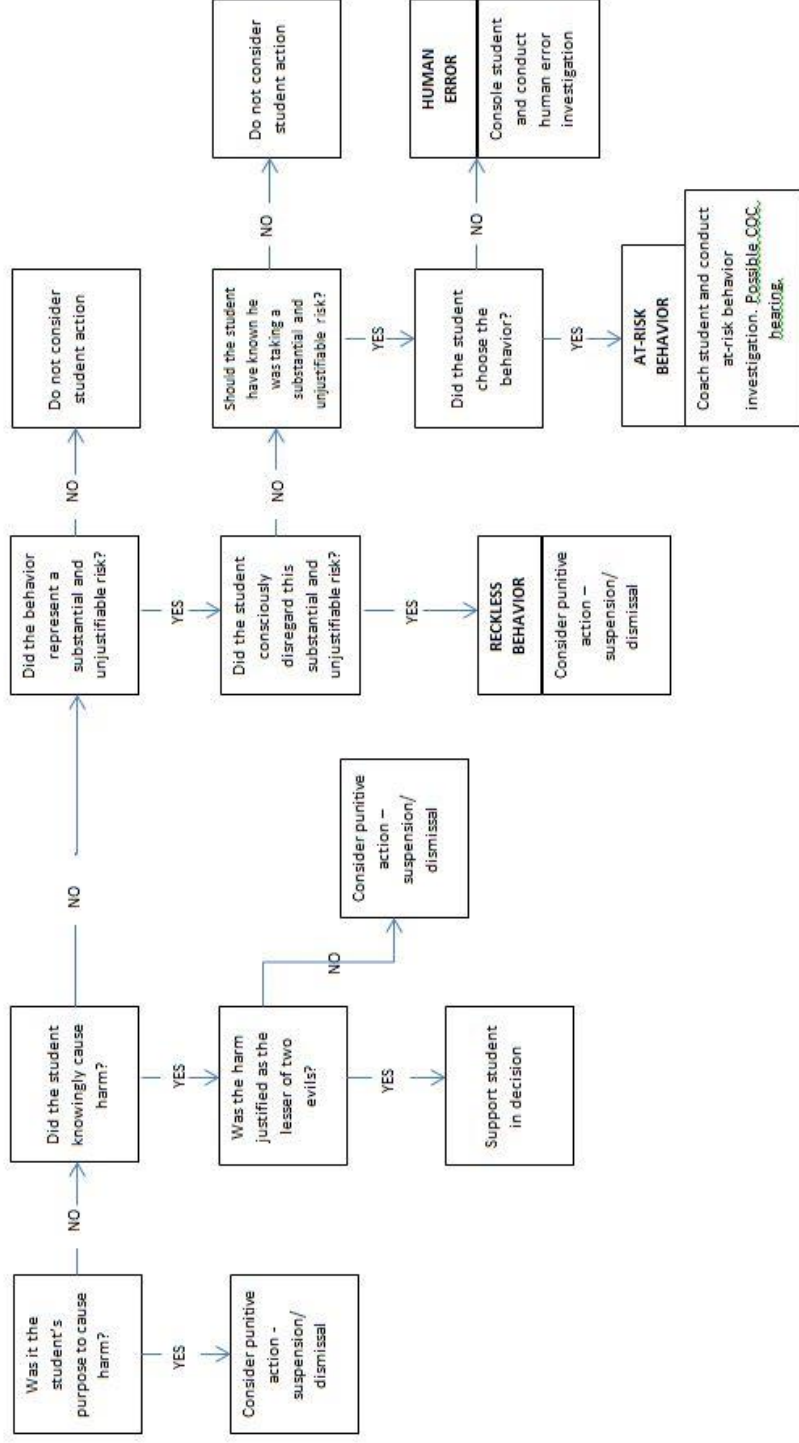
Highlight or circle the path taken that determined the outcome. Include this algorithm with the Code of Conduct Report



When working under a duty to follow a procedural rule within a system, a student will be subject to punitive action when they have acted with reckless disregard toward the risk.

DUTY TO AVOID CAUSING UNJUSTIFIABLE RISK OR HARM

Did a student put an organizational interest or value in harm's way? (COC = Code of Conduct)



At all times, a student will be subject to the duty to avoid causing unjustifiable risk or harm to himself, to fellow employees, customers, visitors, and to the organization. Under this duty, a student who has acted with reckless disregard toward a potential harm will be subject to punitive action.

REPETITIVE AT-RISK BEHAVIORS

(COC = Code of Conduct)

Highlight or circle the path taken that determined the outcome. Include this algorithm with the Code of Conduct Report

